

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADAPTIX, INC.,

Plaintiff,

v.

ALCATEL-LUCENT USA, INC. and
AT&T MOBILITY LLC,

Defendants.

Civil Action 6:12-cv-0022

ADAPTIX, INC.,

Plaintiff,

v.

ALCATEL-LUCENT USA, INC. and
CELLCO PARTNERSHIP d/b/a VERIZON
WIRELESS,

Defendants.

Civil Action 6:12-cv-0122

ADAPTIX, INC.,

Plaintiff,

v.

ALCATEL-LUCENT USA, INC. and
SPRINT SPECTRUM L.P.,

Defendants.

Civil Action 6:12-cv-0123

**JOINT MOTION FOR A HEARING ON THE PARTIES’
SUMMARY JUDGMENT AND DAUBERT MOTIONS**

Plaintiff, Adaptix, Inc. (“Adaptix”), and Defendants, Alcatel-Lucent USA, Inc., AT&T Mobility LLC, Cellco Partnership, Sprint Spectrum LLC (collectively, “the parties”) hereby request a hearing on the parties’ summary judgment and *Daubert* motions. The parties have filed the following motions:

- Defendants’ Motion for Summary Judgment of Indefiniteness of the ‘172 Patent, filed on October 7, 2014 (-22 Dkt No 265; -122 Dkt No 260; -123 Dkt No 239).
- Plaintiff Adaptix’s Motion for Partial Summary Judgment Under 35 U.S.C. § 102(f), filed on October 17, 2014 (-22 Dkt No 267; -122 Dkt No 262; -123 Dkt No 241).
- Plaintiff Adaptix’s Motion for Partial Summary Judgment that, Pursuant to 35 U.S.C. § 103(c), United States Patent No. 7,072,315 is not Prior Art to United States Patent No. 6,870,808, filed on October 17, 2014 (-22 Dkt No 270, -122 Dkt No 266, -123 Dkt No 244).
- Defendants’ Motion for Summary Judgment Denying Adaptix’s Prayer for Injunctive Relief, filed on October 17, 2014 (-22 Dkt No 269; -122 Dkt No 264; -123 Dkt No 243).
- Defendants’ *Daubert* Motion to Exclude Opinions and Testimony of Plaintiff’s Damages Expert, Philip Green, filed on October 17, 2014 (-22 Dkt No 275; -122 Dkt No 271; -123 Dkt No 249).
- Defendants’ Motion for Partial Summary Judgment of Invalidity of Claim 13 of the ‘808 Patent, filed on October 17, 2014 (-22 Dkt No 271; -122 Dkt No 267; -123 Dkt No 245).
- Defendant Alcatel-Lucent USA, Inc.’s Motion for Partial Summary Judgment of Non-Infringement, filed on October 17, 2014 (-22 Dkt No 272; -122 Dkt No 268; -123 Dkt No 246).
- Defendants’ Motion for Summary Judgment of Non-Infringement of the ‘283 Patent, filed on October 17, 2014 (-22 Dkt No 273; -122 Dkt No 269; -123 Dkt No 247).
- Defendants’ Motion for Summary Judgment of Non-Infringement of the ‘808 Patent, filed on October 17, 2014 (-22 Dkt No 274; -122 Dkt No 270; -123 Dkt No 248).

The briefing will be complete on December 23, 2014 pursuant to the Court's Order dated November 13, 2014 (-22 Dkt. No. 293). The parties respectfully request an oral hearing on these motions at the Court's earliest convenience.

Dated: December 3, 2014

Respectfully submitted:

By: /s/ Paul J. Hayes (w/permission)

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CERTIFICATE OF SERVICE

I hereby certify that, pursuant to Local Rule CV-5, on this 3rd day of December, 2014, the foregoing was filed electronically using the Court's CM/ECF system and that the Notice of Electronic Filing from the court is proof of service of the document on all counsel who are deemed to have consented to electronic service.

/s/ Stephen A. Swedlow
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